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Attorneys for Defendant  
Portland State University

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

WASH OUMA,

Plaintiff,

v.

PORTLAND STATE UNIVERSITY,

Defendant.

Case No. 3:23-cv-1795

(Multnomah County Circuit Court  
Case No. 23CV44594)

DEFENDANT PORTLAND STATE  
UNIVERSITY'S NOTICE OF REMOVAL  
OF ACTION

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To: The Clerk of the Court of the United States District Court for the District of Oregon,  
Portland Division

In accordance with 28 USC §§ 1331, 1441, and 1446, defendant Portland State University ("PSU") hereby gives notice of the removal of the action entitled *Wash Ouma v. Portland State University*, Case No. 23CV44594, pending in the Circuit Court of the State of

Oregon for the County of Multnomah (the "State Action") to the United States District Court for the District of Oregon (Portland Division).

### **BASIS FOR REMOVAL**

1. On October 30, 2023, plaintiff filed a complaint asserting claims under the laws of the United States. Plaintiff provided a copy of the complaint to PSU on October 31, 2023 via certified mail. As of the date of this filing, PSU has not appeared in Multnomah County Circuit Court in this case.

2. This notice is timely filed within thirty days of when plaintiff provided PSU a copy of the complaint. 28 USC § 1446(b).

3. The requirements of 28 USC § 1441 are satisfied because plaintiff has alleged claims under Title VI of the Civil Rights Act of 1964 and the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution, which arise under the laws of the United States within the meaning of 28 USC § 1331.

4. This action may be removed to this court by PSU under the provisions of 28 USC § 1441 and according to the procedure in 28 USC § 1446.

5. Removal to this district and division is proper under 28 USC § 1441(a) because plaintiff filed her complaint in Multnomah County Circuit Court and this court has original jurisdiction of the action.

6. In accordance with 28 USC § 1446(a), a true and accurate copy of all process and pleadings on file with Multnomah County Circuit Court through the date of this notice are attached as Exhibit 1.

7. In accordance with 28 USC § 1446(d), promptly after filing this notice, the PSU will (a) file a copy of this notice with the clerk of the Multnomah County Circuit Court and (b) give written notice of this notice of removal to plaintiff by serving it on the individual listed on the certificate of service below.

WHEREFORE, PSU removes the above-entitled action now pending in the Circuit Court of Multnomah County, State of Oregon, to the United States District Court for the District of Oregon (Portland Division).

DATED this 30th day of November, 2023.

MILLER NASH LLP

s/Erin M. Burris

Erin M. Burris, OSB No. 155379

erin.burris@millernash.com

Phone: 503.224.5858

Fax: 503.224.0155

Attorney for Defendant Portland State University

### CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Defendant Portland State University's Notice of Removal of Action on the party listed below on the date set forth below by the method(s) indicated:

Wash Ouma  
4110 SE Hawthorne #741  
Portland, OR 97214

*Pro Se Plaintiff*

☒ **First-class mail, postage prepaid.**  
☒ **Certified Mail, Return Receipt Requested.**  
☒ **Email (courtesy copy only)**  
waso3psu2@yahoo.com

DATED this 30th day of November, 2023.

s/Erin M. Burris

Erin M. Burris, OSB No. 155379

*Of Attorneys for Defendant  
Portland State University*

4861-5884-9938.1